

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

Case No. MD-05-0861A

4 **MITCHELL R. HALTER, M.D.**

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

5 Holder of License No. **29626**
6 For the Practice of Allopathic Medicine
 In the State of Arizona.

7
8 **INTERIM CONSENT AGREEMENT**

9 By mutual agreement and understanding, between the Arizona Medical Board ("Board")
10 and Mitchell R. Halter, M.D., ("Respondent") the parties agree to the following disposition of this
11 matter.

12 1. Respondent has read and understands this Interim Consent Agreement and the
13 stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement").
14 Respondent acknowledges that he understands he has the right to consult with legal counsel
15 regarding this matter.

16 2. By entering into this Interim Consent Agreement, Respondent voluntarily
17 relinquishes any rights to a hearing or judicial review in state or federal court on the matters
18 alleged, or to challenge this Interim Consent Agreement in its entirety as issued by the Board, and
19 waives any other cause of action related thereto or arising from said Interim Consent Agreement.

20 3. This Interim Consent Agreement will not become effective until signed by the
21 Executive Director.

22 4. All admissions made by Respondent are solely for interim disposition of this matter
23 and any subsequent related administrative proceedings or civil litigation involving the Board and
24 Respondent. Therefore, said admissions by Respondent are not intended or made for any other
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1 use, such as in the context of another state or federal government regulatory agency proceeding,
2 civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

3 5. Respondent may not make any modifications to the document. Upon signing this
4 agreement, and returning this document (or a copy thereof) to the Executive Director, Respondent
5 may not revoke acceptance of the Interim Consent Agreement. Any modifications to this Interim
6 Consent Agreement are ineffective and void unless mutually approved by the parties.

7 6. This Interim Consent Agreement, once approved and signed, is a public record that
8 will be publicly disseminated as a formal action of the Board and will be reported to the National
9 Practitioner Databank and on the Board's website.

10 7. If any part of the Interim Consent Agreement is later declared void or otherwise
11 unenforceable, the remainder of the Interim Consent Agreement in its entirety shall remain in
12 force and effect.

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14 
15 _____
16 MITCHELL R. HALTER, M.D.

Dated: 10/12/06

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of the
3 practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of License No. 29626 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. On August 11, 2005 the Board received a report that a facility had summarily
7 suspended Respondent's privileges over concerns regarding his infection rate, lack of sterile
8 technique and competency.

9 4. On October 12, 2006 Respondent presented for formal interview. Respondent was
10 granted a continuance based on his agreement to not perform implantations or spinal anesthesia.

11 5. Although Respondent stated he no longer performs certain procedures, there is no
12 legal restriction on his doing so.

13 6. Based on the information in the Board's possession there is evidence that if
14 Respondent were to perform certain procedures in Arizona there would be a danger to the public
15 health and safety.

16 **CONCLUSIONS OF LAW**

17 1. The Board possesses jurisdiction over the subject matter hereof and over
18 Respondent.

19 2. The Executive Director may enter into a consent agreement with a physician if
20 there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C. R4-
21 16-504.

22 **ORDER**

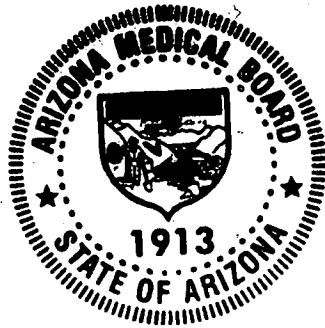
23 IT IS HEREBY AGREED THAT:

24 1. Respondent shall not perform implantations or spinal or epidural regional sensory
25 anesthesia.

1 2. This is an interim order and not a final decision by the Board regarding the pending
2 investigative file and as such is subject to further consideration by the Board.

3 DATED AND EFFECTIVE this 13th day of October, 2006.

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5
6 (SEAL)



ARIZONA MEDICAL BOARD

7
8 By *Timothy C. Miller*
9 TIMOTHY C. MILLER, J.D.
Executive Director

10 ORIGINAL of the foregoing filed this
11 13th day of October, 2006 with:

12 The Arizona Medical Board
13 9545 East Doubletree Ranch Road
14 Scottsdale, AZ 85258

15 EXECUTED COPY of the foregoing
16 Hand-delivered this 13th day of October,
17 2006 to:

18 Mitchell R. Halter, M.D.

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M. R. Halter